

g/v

Notice of Allowability	Application No.	Applicant(s)	
	09/371,916	LIU ET AL.	
	Examiner	Art Unit	
	Anita Choudhary	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 7/1/2004.
2. ☒ The allowed claim(s) is/are 1-14,17,18 and 21-24.
3. ☒ The drawings filed on 10 August 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the: _____
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


FRANTZ B. JEAN
PRIMARY EXAMINER

Response to Amendment

The amendment filed on July 1, 2004 under 37 CFR 1.312 has been entered. Claims 1 and 21 have been amended and are presented for further examination. Claims 15-16, 19-20, and 25 have been cancelled.

Claims 1-14, 17, 18, and 21-24 are presented.

Allowable Subject Matter

Claims 1-14, 17, 18, and 21-24 are allowed

Pursuant to 37 C.F.R. 1.104(e) and MPEP 1302.14, the following is an Examiner's statement for allowance: In considering claim 1, Applicant's amendment submitted on July 1, 2004 has been considered and it is concluded that the prior arts of record do not teach a media access controller preparing an outgoing data packet compatible with hardware abstraction interface layer between the data link layer and physical layer of a cable modem protocol stack, wherein the hardware abstractions interface layers comprises an application programming interface configured for separating hardware of the cable modem from the software of the cable modem and transmitting the outgoing packet from the media access controller to an interface of the hardware abstraction interface layer, wherein the cable modem receiving outgoing packet compares the address with a list of previously registered addresses and adds the address of the outgoing packet upon determining the address is not in the list and transmitting though the hardware abstraction interface layer, and upon cable modem receiving incoming data packet, filtering the packet when the destination address is not associated with communication device addresses that are registered with the cable modem. Support for this functionality can be found on page 10-15 and particularly page 17 lines 6-18 and in the specification.

Art Unit: 2153

Claim 21 is allowed because the recite similar limitation to the claim 1 above and therefore is allowed on the same basis.

Claims 2-14, 17, 18, 24 and 22-23 depend on claims 1 and 21, respectively and therefore are considered allowable on the basis as the independent claim as well as for the further limitations set forth.

The Examiner considers the applicants claims 1-14, 17, 18, and 21-24 to be allowable based on the claim interpretation and the aforesaid prior arts of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita Choudhary whose telephone number is (703) 305-5268.

The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2153

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anita Choudhary
September 23, 2004



FRANTZ B. JEAN
PRIMARY EXAMINER